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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

v.

10 JESUS ARREGUIN MAGANA,

11 Defendant.

CASE NO. CR17-5258BHS

ORDER

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13 This matter comes before the Court on the Defendant's Unopposed Motion to
14 Continue Trial and Pretrial Motions Due Dates. The Court, having considered the
15 unopposed motion and the Defendant's speedy trial waiver makes the following findings
16 of fact and conclusions of law:

17 1. The defense's investigation, witness preparation, record gathering and review
18 are ongoing, and therefore the defense needs additional time to prepare for trial.

19 2. The defense needs additional time to explore all relevant issues and defenses
20 applicable to the case, which would make it unreasonable to expect adequate preparation
21 for pretrial proceedings or for trial itself within the time limits established by the Speedy
22 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to
2 allow the defense the reasonable time for effective preparation and to ensure continuity of
3 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result
5 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best
7 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

8 6. Defendant waived speedy trial through January 31, 2018.

9 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
10 from August 22, 2017, to January 23, 2018, at 9:00 a.m. The resulting period of delay
11 from August 2, 2017, to January 23, 2018, is hereby excluded for speedy trial purposes
12 under 18 U.S.C. § 3161(h)(7)(A) and (B).

13 Pretrial motions are due no later than December 8, 2017. Pretrial Conference is
14 set for January 16, 2018 at 9:00 a.m.

15 Dated this 9th day of August, 2017.

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BENJAMIN H. SETTLE
United States District Judge